1952 K **File No.** Pri. Edu. Bom. II/52 (M)

Legal Deptt.
13 BRANCH

P 3(E)/1952

Subject:— Notifications under the Bombay Primary Education Act, 1947

File No. Pri. Edu. Bom. II/52 (M)

Gen. 194

39-B

Legal Department.

It is proposed by the E.D. to issue a notification under sub-section (2) of section 1 of the Bombay Primary Education and Housing Board (Amendment) Act, 1951, (Bom. XLVI of 1951), appointing the 1st day of June as the date on which the said Act shall come into force. It is also proposed by the E.D. in pursuance of the provisions of section 46A of the Bombay Primary Education Act, 1947 (inserted by the aforesaid amending Act) to establish with effect from the 1st of June a provident fund for the staff maintained by district school boards and for primary school teachers maintained by authorised municipalities. So far as the establishment of the provident fund for the staff of the district school boards and for the primary school teachers of authorised municipalities are concerned, the draft G.R. at page 61/C, as amended, is in order. The draft notification at page 63/c bringing the Act into force, as amended, is also in order. It may, however, be observed that by the Bombay Primary Education and Housing Board (Amendment) Act, 1951, not only the Bombay Primary Education Act, 1947 has been amended; but also the Bombay Housing Board Act 1948, has been amended. It will also be necessary to establish a provident fund for the Secretary, Housing Commissioner and other officers and servants of the Bombay Housing Board as required by section 13A of the Bombay Housing Board Act, 1948. The necessary steps will have to be taken by the Labour and Housing Department in respect of the establishment of such fund under the Bombay Housing Board Act.

2. Not only that but it will be necessary for Government to make rules under section 63 of the Bombay Primary Education Act and Section 66 of the Bombay Housing Board Act, after previsous publication, providing for the rates of subscription and contribution and other conditions of the provident fund established under the respective Acts.

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This action will have to be taken simultaneously with the establishment of the fund under the respective Acts. E.D. should, therefore, consider whether such rules will be made before the 1st June 1952 on which date it is proposed to establish a provident fund as proposed in the G.R. The E.D. may show the papers also to the Labour and Housing Department to consider whether th t Department proposes to establish a fund under the Housing Board Act and to make the necessary rules for the purpose.

Sd/- J.R.Dhurandhar

O.C. 23/4

Additional Secretary to Government.

U.R. to E.D.,,No. 6255 , dated the 24th April 1952.

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4 Cs.

Legal Department.

In place of the draft notification at p. 250(a)/C a revised draft notification is sent herewith. Section 1(2) of Bombay Act XLVI of 1951 does not enable Government to bring into f force only a part of the Act. The whole Act including the part relating to Housing Board employees will have therefore to be brought into force.

2. The draft G.R. at pages 247-250/C is free from any legal objection. In view of the position stated above the E.D. may in consultation with P.W.D. decide whether similar instructions in respect of provident fund for Housing Board employees may not issue simultaneously.

Sd/- J.R.Dhurandhar

O.C. 5/1

Additional Secretary to Government.

U,R. to E.D. No. 240/B, dated the 6th January 1953;

Mjr/2/7

4 Cs.